



**IN THE DISTRICT COURT OF OSAGE COUNTY
STATE OF OKLAHOMA**

BOKEF, NA, d/b/a Bank of Oklahoma,)
Successor by merger to Bank of Oklahoma, NA,)

Plaintiff,)

vs.)

STEPHEN NICHOLAS LYNCH and)
GWENNA KAY LYNCH,)
husband and wife, et al.,)

Defendants,)

CFR, INC., and WESTPORT INSURANCE)
CORPORATION,)

Intervenors,)

vs.)

STEPHEN NICHOLAS LYNCH and)
GWENNA KAY LYNCH,)

Defendants.)

District Court, Osage County, Okla.
FILED

APR 29 2013

ANGIE BRUCE, Court Clerk
By _____ Deputy

Case No. CJ-2012-37

**WESTPORT INSURANCE CORPORATION AND CFR, INC.'S
APPLICATION TO DISBURSE FUNDS**

Westport Insurance Corporation and CFR, Inc. ("Intervenors") move the Court to disburse funds to Intervenors in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00) plus accrued and accruing interest at the judgment rate from April 4, 2013. In support, Intervenors state as follows:

1. On April 4, 2013, Intervenors were granted a Default Judgment *in rem* in the form of a Constructive Trust in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00) against any and all property owned by Defendant Gwenna Kay Lynch, a/k/a Gwenna Lynch, a/k/a Gwenna Kay Morrison, a/k/a Gwenna Kay Morrison Lynch, located at

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12925 North 68th West Avenue, Skiatook, Osage County, Oklahoma, more fully described as:

A Tract of Land in the Southwest Quarter (SW/4) of Section Thirty-One (31), Township Twenty-Two (22) North, Range Twelve (12) East of the I.B. & M, Osage County, State of Oklahoma, and more particularly described as beginning 880 feet West of the center of the above described Section Thirty-One (31), thence 880 feet West; thence 1980 feet South; thence East 882.9 feet; thence North 1980 feet to the point of Beginning (the "Property"),

including the proceeds of any sale of such property, which shall include, but not necessarily be limited to, the funds currently held by the Clerk of the Court following the Sheriff's Sale of the Property conducted February 26, 2013.

2. On April 8, 2013, Intervenorors were granted a Default Judgment *in rem* in the form of a Constructive Trust in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00) against any and all property owned by Defendant Stephen Nicholas Lynch located in Osage County, Oklahoma, as described above, including the proceeds of any sale of such property, which shall include, but not necessarily be limited to, the funds currently held by the Clerk of the Court following the Sheriff's Sale of the Property conducted February 26, 2013.

Wherefore Intervenorors respectfully request the Court, upon payment of the expenses associated with the Sheriff's Sale, payment to the Osage County Treasurer of all outstanding ad valorem taxes, costs and interest due at the time of the sale, to disburse to Intervenorors the sum of Two Hundred Ten Thousand Dollars (\$210,000.00) pursuant to the Default Judgments taken against Gwenna Kay Lynch and Stephen Nicholas Lynch, plus accrued and accruing interest at the statutory rate.

Respectfully submitted,



Bruce A. McKenna, OBA No. 6021
McKENNA & PRESCOTT
5801 E. 41st Street, Suite 501
Tulsa, Oklahoma 74135
(918) 935-2085 - Telephone
(918) 935-2086 - Facsimile
Attorneys for Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of April 2013, I mailed a true and correct copy of the above and foregoing document to the following:

C. Robert Burton THE BURTON LAW FIRM, P.C. 320 S. Boston, Penthouse Suite 2400 Tulsa, OK 74103-4700	Scott F. Lehman LATHAM, WAGNER, STEELE, et al. 10441 S. Regal Blvd., Suite 200 Tulsa, OK 74133
William G. Gowing 2413 E. Oakland Street Broken Arrow, OK 74014-6735	R. Tom Hillis P.O. Box 147 Pawhuska, OK 74056
Robert B. Sartin Barrow & Grimm, P.C. 110 W. 7th Street, Suite 900 Tulsa, OK 74119-1044	Stephen Lynch 12925 N. 68 th West Avenue Skiatook, OK 74070
Gwenna Kay Lynch 1202 W. Oak, Apt. 3203 Skiatook, OK 74070	Christopher Pettet & Valerie Mitchell 3248 South Utica Tulsa, OK 74105



Bruce A. McKenna